

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EMMITT GRIER JR., :
Plaintiff : C.A. No. 05-5 Erie
v. :
COMMONWEALTH OF PENNSYLVANIA : Magistrate Judge;
EDWARD J. KLEM, SUPERINTENDENT : Susan Paradise Baxter
SCI-MAHANOY, OFFICE OF THE :
DISTRICT ATTORNEY, ERIE COUNTY :
Defendants :
:

ORDER

AND NOW, this _____ day of _____ 2005 upon consideration
of Plaintiff's motion and Brief requesting Summary Judgment,
Pursuant to Fed. Rules Civ. Proc. 56 (c), it is hereby ADJUDGED
DECREED and ORDERED that plaintiff's Motion for Summary Judgment
is **GRANTED**.

BY THE COURT:

J.